

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

TALISMANIC PROPERTIES, LLC, *et al.*,

Plaintiffs,

Case No. 3:16-cv-285

vs.

TIPP CITY, OHIO,

Magistrate Judge Michael J. Newman  
(Consent Case)

Defendant.

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**ORDER AND ENTRY GRANTING DEFENDANT'S MOTION FOR ATTORNEY'S  
FEES AND COSTS (DOC. 66) IN THE AMOUNT OF \$3,977.11**

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This civil case is before the Court on Defendant's motion for attorney's fees and costs. Doc. 66. Plaintiffs did not file a memorandum in opposition to Defendant's motion, and the time for doing so has expired. Accordingly, the Court deems Defendant's motion as unopposed. The Court has carefully considered Defendant's motion and attachments thereto, and it is now ripe for decision by the Court.

On June 9, 2017, the Court granted the City's motion for a protective order and directed it to file a motion for reasonable expenses pursuant to Fed. R. Civ. P. 37(a)(5). Doc. 61. As ordered, the City filed its motion for attorney's fees seeking \$3,977.11 in fees associated with seeking the requested protective order. Doc. 66. In the motion, counsel for the City represents expending 25.8 hours litigating the requested discovery disputes at issue in the motion for a protective order and an hourly rate of \$150 per hour. Doc. 66-1 at PageID 1895-96. Absent opposition by Plaintiffs, and finding the hours expended, costs sought, and counsel's hourly rate to be reasonable, the undersigned **GRANTS** the City's motion for attorney's fees and **ORDERS** that Plaintiffs pay the City \$3,977.11 in attorney's fees and costs incurred by the City in obtaining a protective order.

**IT IS SO ORDERED.**

Date: December 8, 2017

s/ Michael J. Newman  
Michael J. Newman  
United States Magistrate Judge